



U.S. Department of Justice

*United States Attorney
Southern District of New York*

26 Federal Plaza
New York, New York 10278

October 23, 2024

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
40 Foley Square
Thurgood Marshall U.S. Courthouse
New York, New York 10007

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
United States District Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Frank Filimaua, et al., 22 Cr. 261 (ALC)*
United States v. Lars Winkelbauer, et al., 23 Cr. 133 (JMF)

Dear Judges Carter and Furman:

The Government respectfully submits this letter to inform the Court of sentencing of multiple defendants in factually related cases pending before different judges, and to request the adjournment of certain sentencing dates in *United States v. Lars Winkelbauer, et al.*, 23 Cr. 133 (JMF).

In docket number 22 Cr. 261 (ALC), defendants Frank Filimaua and Robert Lutterman each pled guilty before Judge Carter to fraud, money laundering, and related charges in connection with their respective roles in a scheme to defraud Polar Air Cargo (the “Fraud Scheme”). Filimaua is scheduled to be sentenced on April 18, 2025, and Lutterman is scheduled to be sentenced on April 8, 2025.

In docket number 23 Cr. 133 (JMF), defendants Lars Winkelbauer, Abilash Kurien, Carlton Llewellyn, Robert Schirmer, and Patrick Lau pled guilty before Judge Furman to similar charges in connection with their respective roles in the Fraud Scheme and have been sentenced. Under the same docket number, defendants Skye Xu, Benjamin Wei, Alvaro Lopez, Fabiola Cino, and Orlando Wong have also pled guilty before Judge Furman to similar charges in connection with

their respective roles in the Fraud Scheme and await sentencing. Sentencing for Xu is scheduled for February 25, 2025.

Sentencings for Wei, Lopez, Cino, and Wong are currently scheduled for November 8, 2024. The Government respectfully requests, with the consent of each of these defendants, that the sentencings for Wei, Lopez, Cino, and Wong be adjourned to a date in March 2025.

The Government is available to provide additional information if helpful.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: _____ /s/
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cc:
Counsel of Record (by ECF)

Application GRANTED. The Defendants will be sentenced on the following dates:

- Frank Filimaua -- March 25, 2025, at 10:30 a.m.
- Robert Lutterman -- March 25, 2025, at 2:30 p.m.
- Benjamin Wei -- March 26, 2025, at 10:00 a.m.
- Alvaro Lopez -- March 26, 2025, at 2:30 p.m.
- Fabiola Cino -- March 27, 2025, at 10:00 a.m.
- Orlando Wong -- March 27, 2025, at 2:30 p.m.

The Government is directed to provide the Probation Officer with its factual statements of the offenses within 7 days. Each defense counsel must arrange for the relevant defendant to be interviewed by the Probation Department within the next two weeks.

The parties should consult the Court's Individual Rules and Practices for Criminal Cases (available at <http://nysd.uscourts.gov/judge/Furman>) for sentencing-related procedures and practices. Given the nature of the defendants' pleas, the Government's sentencing submissions shall be served two weeks in advance of each date set for sentencing, and the defendant's sentencing submission shall be served one week in advance of the date set for sentencing.

The Clerk of Court is directed to terminate Doc. #412.

SO ORDERED.



October 29, 2025